

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SANDY GRACIANO,

Plaintiff,

-v-

JIGGY PUZZLES LLC,

Defendant.
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21-CV-6812 (JMF)

ORDER


JESSE M. FURMAN, United States District Judge:

Pursuant to the Court's Order of August 16, 2021, *see* ECF No. 6, the parties filed a joint status letter on September 22, 2021, in which they indicate that they do not agree that this case should be referred to a Magistrate Judge or the Court-annexed Mediation Program at this time and do not believe there is a need for a conference in the near future, *see* ECF No. 11. The parties **shall promptly** inform the Court if they come to believe that a referral to a Magistrate Judge or the Court-annexed Mediation Program would be beneficial. In any event, **no later than three business days after Defendant files an answer or otherwise responds to the Complaint**, the parties shall file another joint letter providing the information described in the Court's August 16, 2021 Order.

Further, the parties' joint letter indicates that Defendant intends to file a motion to dismiss the Complaint. *See* ECF No. 6, ¶ 3. Defendant should be aware of this Court's recent oral decision in *Romero v. Adagio Teas, Inc.*, No. 20-CV-7422, ECF No. 39, at 3-6, and this Court's Memorandum Opinion and Order applying that decision in *Jaquez v. Dorm Company Corp.*, No. 21-CV-2431, ECF No. 21. To the extent appropriate, Defendant should address those decisions, both of which involved website-related ADA claims, in any motion to dismiss.

SO ORDERED.

Dated: September 24, 2021
New York, New York



JESSE M. FURMAN
United States District Judge